



MINUTES

1. CALL THE MEETING TO ORDER

The September 14, 2021 Planning & Development Advisory Committee Meeting was held on the above date and called to order at 7:18 p.m. via electronic participation.

2. OPENING REMARKS

The Chair advised that the following portion of the Committee meeting will be for the Committee to review and provide comments on development planning applications.

3. ROLL CALL

MEMBERS IN ATTENDANCE

Councilor John Sepulis, Chair
Deep Basi
Paul Sadhra
Dan Kennedy
Dennis O'Connor

MEMBERS ABSENT

None

STAFF IN ATTENDANCE

Lynne Banks, Development and Legislative Coordinator
Courtenay Hoytfox, Clerk
Jeff Bunn, Deputy Clerk
Ivan Lunevski, By-law Enforcement & Property Standards Officer

4. DISCLOSURE OF PECUNIARY INTEREST

None

5. APPROVAL OF MINUTES

- August 10, 2021

Moved by: Deep Basi

Seconded by: Dan Kennedy

That the Minutes of the Planning & Development Advisory Committee Meeting held Tuesday, August 10, 2021, be adopted.

CARRIED

6. APPLICATION FOR SITE PLAN URBAN DESIGN REVIEW

None

7. ZONING BY-LAW AMENDMENT

None

8. LAND DIVISION

None

9. OTHER MATTERS

9(a) **Property Standards Appeal – 6577 Concession 4, Puslinch**

- John Sepulis, Chair, advised that the Committee will be hearing the appeal to a By-law Enforcement Order to Comply and introduced the following committee members that are present:

Deep Basi
Paul Sadhra
Dan Kennedy
Dennis O'Connor

- The Chair also recognized the following people present:
Ivan Lunevski – Township of Puslinch By-law Enforcement Officer
Lynne Banks, Development & Legislative Coordinator
Jeff Bunn, Deputy Clerk
Courtenay Hoytfox, Municipal Clerk
- The Chair asked the appellant or his representative to introduce himself and then the Chair provided a brief explanation of the procedure for the hearing of the appeal and advised that the Committee will decide on one of the following decisions regarding the appeal: confirm the Order to Comply, rescind the Order to Comply, modify the Order to Comply or grant an extension of the Order to Comply.
- Lynne Banks swore in Ivan Lunevski to present his testimony.
- Ivan Lunevski provided an overview of the complaint, his observations when he visited the property to investigate the complaint, the issuance of the Property Standards Order, the nature of the appeal, his concerns regarding the appeal and noted that the appellant was requesting that the order be rescinded. He further requested that the Committee confirm the Order as written.
- Upon the conclusion of Mr. Lunevski's testimony, the Chair advised that the appellant's representative, Paul Sial would now be able to ask questions of Mr. Lunevski.
- Paul Sial confirmed that Mr. Lunevski spoke with Mr. Paul Gill and that he confirmed that the property is an agricultural property. Mr. Sial stated that the property has been used as an agricultural property for many years. He also asked Mr. Lunevski to confirm that he has seen many of these types of fences in the Township.
- Mr. Lunevski replied that this is the first one that he has observed and that he has seen many line fences but this is the first barbed wire fence he has seen in the Township.
- Mr. Sial noted that there are several fences of this type in the Township and that they were used to keep wild animals out. There was some discussion regarding the history and rebuilding of the fencing on the property.
- There were no more questions of Mr. Lunevski.
- The Chair asked the Committee if they had any questions for Mr. Lunevski.
- Dan Kennedy asked if there was a permit issued for the fence or if a permit is required.
- Mr. Sial advised that there was a fence previously on the property and that they did not need a permit to put up the new fence.
- Dan Kennedy asked Mr. Lunevski if a permit is required and Mr. Lunevski advised that permits are not required for a fence.
- John Sepulis asked Mr. Lunevski to clarify if there is a farm or agricultural use on the property.
- Mr. Lunevski stated that from his observations and from speaking with residents there is currently no livestock being kept on the property and also noted that there is a farm field in the rear of the property is being rented out to a local farmer, but is currently not being used by the owners.
- John Sepulis asked Mr. Lunevski to clarify what extent of the barbed wire is to be removed from the entire fence.
- Mr. Lunevski advised that the Order stated that the barbed wire component of the fence is to be removed from the entire fence.

- John Sepulis requested that the pictures provided with the appeal be shown to those in attendance and noted that there is a line of fence with an old piece of barbed wire along a portion of a side of the property.
- Mr. Lunevski noted that the barbed wire fencing that he observed is the front and along the dwellings on each side of the property but he did not look at the rear of the property.
- John Sepulis asked if the owner had one farm animal on the property would the Order have been issued.
- Mr. Lunevski advised is there were animals on the property then it would fall within the guidelines as a standard farm practice.
- Mr. Sial was sworn in by Lynne Banks to present his testimony.
- Mr. Sial's noted that the pictures provided show both a new and pre-existing fence that was taken down but the abutting owner and that the barbed wire seen in the picture is on the abutting owner's side and not on the appellant's property. He further noted that the property is an agricultural property and that a portion of it is leased out to farmers in the area. He also advised that there was livestock previously on the property and the appellant would like to house livestock on the property in the future and noted that the fence is consistent with other farms adjacent to the appellant's property and that the appellant used the same fence contractor as other residents with the same type of fence. He also stated that the fence is not a shared fence with abutting landowners and is located within the appellant's property.
- The Chair asked Mr. Lunevski if he had any questions of Mr. Sial.
- Mr. Lunevski asked Mr. Sial if he has observed other farmers erecting barbed wire fences around crops. He also asked if having the barbed wire component located at the top of the fence would be able to prevent smaller animals from breaching the fence.
- Mr. Sial advised that it was researched extensively prior to having the fence erected and the contractor advised them that he has erected several fences of the same type in the Township.
- Mr. Lunevski asked how long ago livestock was on the property
- Mr. Sial advised approximately 7 years ago and that there were chicken and cows on the property and that the appellant was not the owner at that time. He further noted that the appellant previously rented out the property to another farmer and they have just moved back into the property approximately 3 years ago.
- The Chair asked the Committee if they have any questions.
- Dennis O'Connor asked if there are any buildings that can house livestock currently on the property.
- Mr. Sial advised that the appellant has recently renovated the barn and plan to house cattle in it.
- John Sepulis asked why there is no barbed wire at the fence located at the rear of the property.
- Mr. Sial advised that the entire fence has barbed wire on it.
- John asked when the fence installed and if it was the same type of fence.
- Mr. Sial advised that it was in 2020 and that it was the same type, just renovated.
- John Sepulis asked when the appellant will house livestock be located on the property.
- Mr. Sial advised that it will be within the next couple of years.
- There were no further questions from the Committee.
- At the request of the Chair, both Mr. Lunevski and Mr. Sial summarized their evidence.

The Committee moved into closed session to discuss the testimony and to render a decision.

The Committee moved back into open session to announce its decision.

- John Sepulis advised Mr. Sial that the Committee has made its decision, and that a copy will be sent to the owner. He further advised that if the owner would like to appeal the decision, he can do so to the Superior Court of Ontario.
- Lynne Banks read the following decision made by the Committee:

Modify the order to read:

1. Remove barbed wire from the front of property by October 31, 2021.
2. Remove barbed wire from the length of the adjacent lot lines by October 31, 2021



3. Remove the rest of the barbed wire, if there is no livestock that would require barbed wire under normal farm practices on the property, within 2 years of this date being September 14, 2021.

Rationale:

1. No livestock currently on the property.
2. The adjacent residential lots do not have barbed wire fencing.

9(b) Review and Approval of the 2022 PDAC Meeting Dates

The Committee has tentatively approved the PDAC meeting dates and John Sepulis has requested that Lynne Banks confirm with the County of Wellington that there is no conflict with the proposed dates.

10. CLOSED MEETING

- None

11. NEXT MEETING

- Next Regular Meeting will be held on Tuesday, October 10, 2021 @ 7:00 p.m.

102. ADJOURNMENT

Moved by: Dennis O' Connor

Seconded by: Paul Sadhra

That the Planning & Development Advisory Committee is adjourned at 8:35 p.m.

CARRIED